



Serving the Iowa Legislature

IOWA LEGISLATIVE INTERIM CALENDAR AND BRIEFING

September 23, 2011

2011 Interim No. 3

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Wednesday, September 28, 2011

Inmate Geriatric and Psychiatric Patients Study Committee

10:00 a.m., Iowa Medical Classification Center at Oakdale

Tuesday, October 11, 2011

Administrative Rules Review Committee

9:30 a.m., Room 116, Statehouse

Monday, October 24, 2011

Mental Health and Disability Services Study Committee

10:00 a.m., Location to be announced

October 2011

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Iowa Legislative Interim Calendar and Briefing is published by the Legal Services Division of the Legislative Services Agency (LSA). For additional information, contact: LSA at (515) 281-3566.

AGENDAS

INFORMATION REGARDING SCHEDULED MEETINGS

Inmate Geriatric and Psychiatric Patients Study Committee

Co-Chairperson: Senator Tom Hancock

Co-Chairperson: Representative Gary Worthan

Location: Iowa Medical Classification Center at Oakdale

Date & Time: Wednesday, September 28, 2011, 10:00 a.m.

Contact Persons: Joe McEniry, Legal Services, (515) 281-3189; Rachele Hjelmaas, Legal Services, (515) 281-8127.

Agenda: Testimony from the Departments of Corrections and Human Services and the Board of Parole concerning inmates and patients under the care, custody, or control of the state.

Internet Page: <http://www.legis.iowa.gov/Schedules/committee.aspx?CID=542>

Administrative Rules Review Committee

Chairperson: Senator Wally Horn

Vice Chairperson: Representative Dawn Pettengill

Location: Room 116, Statehouse

Date & Time: Tuesday, October 11, 2011, 9:30 a.m.

Contact Persons: Joe Royce, LSA Counsel, (515) 281-3084; Jack Ewing, LSA Counsel, (515) 281-6048.

Agenda: Published in the Iowa Administrative Bulletin:

<http://www.legis.state.ia.us/aspx/BulletinSupplement/bulletinListing.aspx>

Mental Health and Disability Services Study Committee

Co-Chairperson: Senator Jack Hatch

Co-Chairperson: Representative Renee Schulte

Location: To be announced

Date & Time: Monday, October 24, 2011, 10:00 a.m.

Contact Persons: John Pollak, Legal Services, (515) 281-3818; Patty Funaro, Legal Services, (515) 281-3040; Rachele Hjelmaas, Legal Services, (515) 281-8127.

Agenda: Review of financial information.

Internet Page: <http://www.legis.iowa.gov/Schedules/committee.aspx?GA=84&CID=541>

ADMINISTRATIVE RULES REVIEW COMMITTEE

September 13, 2011

Chairperson: Senator Wally Horn

Vice Chairperson: Representative Dawn Pettengill

BOARD OF EDUCATIONAL EXAMINERS, *Denial of Application During a Pending Professional Practices Case, 8/10/11 IAB, ARC 9659B, ADOPTED.*

Background. This rulemaking gives the executive director of the board discretion in the approval of an application for a Class B teaching license when an applicant is under investigation and probable cause has been determined by the board.

Commentary. Committee members asked what it means to be a Class B licensee. A board representative explained that such a person must complete fewer training hours in the short term before being authorized to teach, although eventually the full training requirements must be met. Also, a Class B license is only valid for two years. Committee members asked what such a person might be investigated for, and the board representative explained that it could be anything. In response to a question as to the need for this rule, the representative explained that without this rule, the board would have no other way to remove a person under investigation, regardless of how serious the allegations are, from a classroom. Committee members noted that such an investigation might not ultimately result in a finding of wrongdoing. Committee members asked why such matters would be handled by the executive director and not the board as a whole, and the representative explained that the board becomes involved later in the process. Committee members also asked what would happen if a school district were unable to find an available teacher after a license denial. The representative replied that the board would try to work with the district to resolve the situation, perhaps by finding a substitute.

Action. No action taken.

BOARD OF EDUCATIONAL EXAMINERS, *Alternative Teacher Preparation, 8/10/11 IAB, ARC 9660B, NOTICE.*

Background. Iowa Code §272.2(13) empowers the board to “[a]dopt rules to provide for nontraditional preparation options for licensing persons who hold a bachelor’s degree from an accredited college or university, who do not meet other requirements for licensure.” The board proposes a three-year, nonrenewable authorization in foreign language, mathematics, chemistry, physics, biology, and music, for persons who do not meet the specific requirements in those areas, but do possess a bachelor’s degree and four years’ experience. During the term of the authorization, the applicant must complete board-approved training in specified areas.

Commentary. The board representative stated this alternative preparation program is necessary to find applicants in certain hard-to-fill positions, especially in smaller districts. The representative noted that the authorization is temporary and the applicant is required to obtain teaching-specific education.

Discussion centered around the required “pedagogy” (preparatory training or instruction) for an educator. Both committee members and representatives of the Iowa State Education Association urged a traditional training program, with completion of the curriculum prior to authorization. Association representatives stated that a substitute teacher should be used until a qualified teacher could be found.

Action. No action, additional review likely on final adoption.

ATTORNEY GENERAL, *Disclosure Statements, 8/10/11 IAB, ARC 9669B, NOTICE.*

Background. 2011 Iowa Acts, S.F. 418, relates to the disclosure of information in connection with new motor vehicle repairs; it provides that a new motor vehicle dealer is not required to disclose to a buyer or lessee any repairs of damage to or adjustments on or replacements of parts with new parts on the motor vehicle if certain specified conditions are met.

Commentary. A representative of the Attorney General’s Office noted that the Act was a compromise reached between consumer advocates and automobile dealers. The representative emphasized that the requirements apply only to the sale of new automobiles; the sale of used vehicles remains under the general consumer fraud provisions. A dealer must disclose in writing any repairs of damage to or adjustments on or replacements of parts if the actual cost exceeds 4 percent of the dealer’s adjusted cost. The Act requires that the written disclosure be in a form approved by the Attorney General by rule, as is set out in this notice.

Action. No action taken.

IOWA FINANCE AUTHORITY, *Iowa Jobs Program—Calculation of Jobs Created, 8/24/11 IAB, ARC 9691B, ADOPTED.*

BRIEFINGS

INFORMATION REGARDING RECENT ACTIVITIES

(Administrative Rules Review Committee continued from Page 3)

Background. In this rulemaking, the Iowa Finance Authority (IFA) seeks to exclude temporary positions from the reporting requirements for the Iowa Jobs Program.

Commentary. An IFA representative explained the purpose of the amendment and noted that no changes had been made after the public comment period. Committee members asked why temporary jobs are not being counted for this program when they are counted in certain other contexts. The representative explained that the enacting legislation was not specific on this point, but that it was IFA's understanding that only full-time jobs were meant to be counted. Committee members asked what precisely a permanent job is, and how the definition might apply in contexts such as temp agency jobs and construction jobs. The representative stated that "permanent" is not defined, and expressed uncertainty as to how it might be applied in such situations. Committee members asked how a person who worked on two projects through the program might be counted, and if double counting could occur. The representative stated that double counting might be possible, as IFA does not have the resources to conduct audits in this area.

Action. A motion was made for the Committee to object to the rulemaking, based on the Committee's belief that it is unreasonable to exclude temporary jobs created through the program from these calculations. The motion carried.

Committee Legislation.

Background. A bill which relates to administrative rules sponsored by the Administrative Rules Review Committee and approved by a majority of the members of the Committee in each house may be introduced at any time and must be referred to a standing committee which must take action on the bill within three weeks. A nullification resolution introduced by the Committee is referred to the same standing committee it would be referred to if it was a bill. [Joint Rule 19].

Rules Nullification. The Committee gave approval to a draft Administrative Rules Review Committee bill to nullify a portion of a Department of Natural Resources rule requiring the use of nontoxic shot in dove hunting.

Licensing Boards. The Committee will continue work on a Committee bill prohibiting licensing boards from considering deferred judgments as grounds for licensee discipline. Additional discussion is anticipated in October.

ARRC Rules of Procedure. At the October meeting the Committee will review its own rules of procedure.

Next Meeting. The next regular Committee meeting will be held in Room 116, Statehouse Main Floor, on **Tuesday, October 11, 2011**, beginning at 9:30 a.m.

LSA Staff: Stephanie Hoff, Administrative Code Editor, (515) 281-3355.

LSA Contacts: Joe Royce, LSA Counsel, (515) 281-3084; Jack Ewing, LSA Counsel, (515) 281-6048.

Internet Page: <http://www.legis.iowa.gov/Schedules/committee.aspx?GA=84&CID=53>

LEGAL UPDATE

Purpose. A legal update briefing is intended to inform legislators, legislative staff, and other persons interested in legislative affairs of recent court decisions, Attorney General Opinions, regulatory actions, and other occurrences of a legal nature that may be pertinent to the General Assembly's consideration of a topic. As with other written work of the nonpartisan Legislative Services Agency, although this briefing may identify issues for consideration by the General Assembly, nothing contained in it should be interpreted as advocating a particular course of action.

LEGAL UPDATE—STATE AUTHORITY TO REGULATE EMPLOYMENT OF UNAUTHORIZED ALIENS AND TO MANDATE USE OF E-VERIFY

Filed by the United States Supreme Court

May 26, 2011

Chamber of Commerce v. Whiting

No. 09–115

<http://www.supremecourt.gov/opinions/10pdf/09-115.pdf>

Background. In 2007, the state of Arizona enacted the Legal Arizona Workers Act ("the Act"), which made the employment of unauthorized aliens illegal under state law. The Act provides for the suspension of the business license of an Arizona employer who knowingly or intentionally employs an unauthorized alien for the location at which the

(Legal Update—State Authority to Regulate Employment of Unauthorized Aliens and to Mandate Use of E-Verify continued from Page 4)

unauthorized alien was employed. For a second violation, the business license is permanently revoked. The Act also requires all employers to use a federal electronic verification system (E-Verify) to confirm that the workers they employ are legally authorized to work in the United States. The U.S. Chamber of Commerce, along with various business and civil rights organizations, the petitioners in this case, filed suit in federal court against state officials charged with enforcing the Act, the respondents. The petitioners argued that the provisions of the Act relating to business licenses were expressly and impliedly preempted by the federal Immigration Reform and Control Act (IRCA). The IRCA preempts “any State or Local law imposing civil or criminal sanctions (other than through licensing and similar laws) upon those who employ, or recruit or refer for a fee for employment, unauthorized aliens.” The respondents contended that the business license provisions fall within that parenthetical phrase, the savings clause, under which state authority is preserved. The petitioners also argued that the E-Verify requirement is impliedly preempted by the federal Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA), which created the E-Verify program, but made participation voluntary. The respondents contended that it was not the implied intent of the IIRIRA to prohibit states from requiring participation in E-Verify. The District Court for the District of Arizona found for the respondents. The Ninth Circuit Court of Appeals affirmed.

Issues. Whether the provisions of the Legal Arizona Workers Act providing for the suspension and revocation of business licenses are expressly or impliedly preempted by federal law and whether the provision requiring participation in E-Verify is impliedly preempted by federal law.

Holding. The Court’s 5-3 majority decision (Justice Elena Kagan did not participate) upheld the lower court’s ruling that the provisions of the Legal Arizona Workers Act at issue are neither expressly nor impliedly preempted by federal law and are therefore valid based upon several grounds.

The Court held that the provisions of the Act providing for the suspension or revocation of business licenses are of the sort Congress intended to permit by excluding “licensing and similar laws” from the IRCA’s preemption language. Thus, the business license provisions are not expressly preempted. The Court noted that the Act’s definition of “license” is similar to a common definition under federal law, as well as dictionary definitions, and concluded that the Act is facially a “licensing law,” and even if it were not, it would at least be “similar” to a licensing law. The petitioners made a detailed argument based on the legislative history of the IRCA that “licensing and similar laws” was meant to carry a more specific meaning which would exclude state laws such as the Act. The Court rejected this argument because the plain language of the IRCA was sufficient to resolve the question.

The Court also held that the business license provisions are not impliedly preempted by the IRCA. The petitioners made various arguments asserting that Congress, in enacting the IRCA, intended federal authority relating to illegal immigration to be exclusive, and that the Act upsets the careful balance Congress sought to strike in this area. The Court disagreed, holding that the Arizona law did nothing more than implement sanctions that Congress expressly permitted through the IRCA’s language on licensing laws. The Court noted that the Act adopts the federal definition of the term “unauthorized alien” to describe persons the employment of whom the Act prohibits, and requires state investigators to verify the work authorization of alleged unauthorized aliens with the federal government, forbidding them from making an independent determination of an alleged unauthorized alien’s status on a state level. Thus, the Act does not circumvent or supersede the federal system, but merely implements it as states are permitted to do. The Court further noted that regulating in-state business through licensing laws has never been an issue in which federal concerns dominate, so there is no incursion on federal authority. The Court also rejected an assertion that the Act would encourage employers to discriminate against legal workers who appear foreign rather than risk losing their business licenses because the Act penalizes only the knowing or intentional hiring of an unauthorized alien and such penalties are restricted to only the most severe employer misconduct. Furthermore, the use of E-Verify provides employers with a safe harbor under the Act.

The Court further held that the Act’s requirement for Arizona employers to use E-Verify is not impliedly preempted by the IIRIRA. The petitioners argued that Congress, when it created E-Verify, intended it to be a voluntary and non-burdensome alternative for employers to check the work status of employees, and that mandating its use on the state level is contrary to that purpose. The Court stated that there is no language in the IIRIRA which in any way circumscribes state action relating to E-Verify and also noted that the consequences for an employer not using E-Verify are the same under both the Act and under federal law: the employer loses the rebuttable presumption that the employer complied with the law in hiring the employee in question. The Court thus found no conflict between the Act’s mandatory use of E-Verify, and optional use under the IIRIRA. The Court also rejected arguments questioning the reliability of E-Verify and the ability of the E-Verify system to handle the increased load from mandatory use.

BRIEFINGS

INFORMATION REGARDING RECENT ACTIVITIES

(Legal Update—State Authority to Regulate Employment of Unauthorized Aliens and to Mandate Use of E-Verify continued from Page 5)

Dissent. Two dissents were filed in this case. Justice Stephen Breyer, joined by Justice Ruth Bader Ginsburg, argued that the Act upsets the balance Congress struck in immigration policy between the goals of discouraging the hiring of unauthorized aliens, avoiding placing an undue burden on employers, and preventing discrimination in hiring. He asserted that Arizona's interpretation of the phrase "licensing and similar laws" to include business licenses is overbroad, with the potential to sweep in any document that a state might choose to classify as a license. He argued that a narrower meaning for that phrase can be gleaned from the legislative history of the IRCA. Justice Sonia Sotomayor argued, in her dissent, that "licensing and similar laws," when read in the context of the entire statute, should be understood to mean that a state is only permitted to sanction an employer pursuant to a licensing law after a final determination has been made by the federal government that the employer violated federal law. She noted language in the IRCA declaring that it is the sense of Congress that "the immigration laws of the United States should be enforced vigorously and uniformly," and asserted the majority decision would lead to a patchwork of state immigration laws. She questioned the ability of state prosecutors and courts to accurately resolve complex technical questions of federal immigration law that will arise under the Act. Both dissents disagreed with the presumption that the lack of any language in the IIRIRA regarding state use of E-Verify indicated intent for the states to be permitted to require its use. The dissenting justices would have ruled that only Congress has the authority to make using E-Verify mandatory.

Impact and Applicability. The Court held that the IRCA's preemption of state laws imposing civil or criminal penalties on employers of unauthorized aliens "other than through licensing and similar laws" should be interpreted according to the plain language of the statute. Narrower interpretations were rejected. The Court did not define an outer boundary for what might be considered a licensing or similar law; however, the decision specifies that a state-based enforcement scheme related to business licenses would be permissible. Under the Act, a business license is defined as any agency permit, certificate, approval, registration, charter, or similar form of required state-issued authorization to operate a business; this might include articles of incorporation, certificates of partnership, or grants of authority to out-of-state companies to transact in-state business. The Court also upheld the right of states to mandate that employers verify through the E-Verify program the employment eligibility of employees they hire.

In recent years, several states have enacted laws similar to the provisions at issue in this case. This case identifies legal principles applicable to the enactment and enforcement of such laws.

Iowa Code §715A.2A currently provides that an employer who hires or continues to employ a person knowing the person is not authorized to be employed in the United States is subject to a civil penalty ranging from \$200 to \$10,000 per worker. An employer who complies with federal employment authorization verification procedures is provided an affirmative defense to any alleged violation of this Code section. Iowa law does not require employers to participate in E-Verify.

LSA Monitor: Jack Ewing, Legal Services, (515) 281-6048.

LEGAL UPDATE—EXPUNGEMENT OF ELECTRONIC COURT RECORDS

Filed by the Iowa Supreme Court
July 15, 2011

Judicial Branch and State Court Administrator v. Iowa District Court for Linn County

No. 10-0163

http://www.iowacourtsonline.org/Supreme_Court/Recent_Opinions/20110715/10-0163.pdf

Background. The Judicial Branch and the State Court Administrator filed a petition for certiorari contending the district court acted illegally when it ordered that information about a criminal case that was ultimately dismissed be removed from the statewide computerized docket system contained in the Iowa Court Information System (ICIS) and the Iowa Courts Online website.

Issues. Whether Iowa law (Code §692.17) or the Iowa Constitution requires removal from Iowa's statewide computerized docket system all information relating to criminal cases that result in an acquittal or a dismissal.

Analysis.

1. **Conflicting Statutory Provisions.** The Court discussed the background and purposes of several conflicting statutory provisions relating to public access to criminal court records in Iowa: (1) Code §692.17(1) (criminal history data in a computer data storage system shall not include disposition data after a defendant has been acquitted).

BRIEFINGS

INFORMATION REGARDING RECENT ACTIVITIES

(Legal Update—Expungement of Electronic Court Records continued from Page 6)

ted or the charges dismissed); (2) Code §692.17(2)(a) (requiring the retention of “source” documents in adult criminal cases); (3) Code §692.18(1) (general public records provision allowing public access to public agency records); Code §22.7(9) (allowing public access to arrest and criminal history data records); and Code §602.8104 (requiring clerks of court to create and maintain a court docket record book). The Court’s task was thus to harmonize these conflicting statutory provisions, taking into account the history and purpose of Iowa’s Criminal History Data Act (Code Chapter 692) and the court docket system in Iowa and the overall goal of providing public access to criminal history data.

Applying the rules of statutory construction, the Court concluded that the legislature did not intend for the judicial branch to purge from its official docket all criminal cases that ended in the defendant’s favor. As the computerized docket on ICIS and Iowa Courts Online is the only version of the docket in existence, by erasing information about that docket, the judicial branch would be acting contrary to the law that requires a docket to be kept of each proceeding in each case. In addition, the computerized docket has independent legal significance and is the source of other records, such as the record on appeal, and is therefore a source document whose retention is required under the law. The Court further concluded that public access to official court records should be preserved even if a criminal defendant is acquitted or has had the charges dismissed. In other words, although the law requires criminal history data in a computer data storage system to be deleted, it should not be done so in a way that defeats public access to existing court records, including the court docket.

2. Equal Protection. In response to the plaintiff’s equal protection argument that it is unfair to treat recipients of a deferred judgment (criminal case not open to the public in deferred judgment cases) different than persons whose criminal cases resulted in acquittal or dismissal (in terms of denying public access to such information), the Court applied a rational basis review. The Court concluded that persons who have had criminal proceedings terminated in their favor are not a suspect class and making records of court proceedings available to the public does not burden a fundamental right. The legislature could rationally determine that deferred judgments should not be accessible to the general public but dismissals and acquittals should be accessible, as expunging deferred judgment information serves a legitimate governmental interest of promoting rehabilitation and providing an incentive to defendants to meet the terms of their probation. On the other hand, it is not necessary to deny public access to dismissal and acquittal information because the public can determine for themselves that the charges were ultimately resolved in the defendant’s favor.

Holding. The Court thus held that Code §692.17(1) does not require criminal cases that ended in dismissal or acquittal to be removed from ICIS or the Iowa Courts Online website.

LSA Monitor: Rachele Hjelmås, Legislative Services Agency, Legal Division, (515) 281-8127.

2011 INTERIM STUDY COMMITTEES MEMBERSHIP AND STAFF LISTING

This listing provides the charges, membership appointments, and meeting day authority for 2011 Legislative Interim studies as authorized by the Legislative Council and appointed by legislative leadership and provides this information for Legislative Council committees and permanent legislative committees with business for the 2011 Legislative Interim. Members listed as a co-chair were designated as the lead member for their caucus. Committees generally elect permanent chairpersons at the initial meeting.

2011 INTERIM STUDIES

1. Government Oversight Committees (Standing Committees of the Senate and House of Representatives). The standing Committees on Government Oversight of the Senate and House of Representatives hold periodic joint meetings during the 2011 Interim. Meeting days not statutorily limited

SENATE (5)	HOUSE (9)	Staffing:
Courtney, Chair	Hagenow, Chair	LS—Rick Nelson, Doug Adkisson
Sodders, Vice Chair	Baltimore, Vice Chair	FS—Sue Lerdal
Sorenson, RM	Petersen, RM	SD—Bridget Godes
Greiner	Baudler	SR—Russ Trimble
Kibbie	Berry	HD—Andrea Jansa
	Kressig	HR—Jill Jennings
	Pearson	CA/O—Ruth Cooperrider
	Pettengill	
	Tjepkes	

2. Inmate Geriatric and Psychiatric Patients Study Committee (2011 Iowa Acts, SF 510, §24). Examine treatment and placement options for inmate geriatric and psychiatric patients who are under the care, custody, and control of the state, or for patients who are otherwise housed at the Iowa Medical and Classification Center at Oakdale or other correctional facilities for geriatric or psychiatric treatment. A related study by Departments of Corrections, Human Services, Inspections and Appeals, and Public Health required by 2011 Iowa Acts, SF 510, §25, is to be submitted to the Study Committee by November 15, 2011. 2 meeting days

SENATE (5)	HOUSE (5)	Staffing:
Hancock, Co-Chair	Worthan, Co-Chair	LS—Joe McEniry, Rachele Hjelmaas, Jack Ewing
Bacon	Anderson	FS—Beth Lenstra
Fraise	Hagenow	SD—Cathy Engel
Hatch	Heddens	SR—Josh Bronsink
Seymour	Taylor, T.	HD—Zeke Furlong, Anna Hyatt-Crozier
		HR—Amanda Freel

3. Lake Macbride Study Committee. Review requirements and make recommendations pertaining to the use of motorboats on Lake Macbride. 1 meeting day

SENATE (3)	HOUSE (3)	Staffing:
Black, Co-Chair	Kaufmann, Co-Chair	LS—Ann Ver Heul, Doug Adkisson, Andrew Ward
Dvorsky	Mascher	FS—Deb Kozel
Greiner	Pettengill	SD—Jace Mikels
		SR—Jim Friedrich
		HD—Mary Braun
		HR—Dustin Blythe

4. Mental Health and Disability Services Study Committee (2011 Iowa Acts, SF 525, §1). Review publicly supported mental health and disability services. The Study Committee shall closely engage with, monitor, and propose legislation concerning the recommendations and proposals developed by the workgroups implemented by the Department of Human Services (DHS) and other bodies addressed by 2011 Iowa Acts, SF 525. The legislators serving on the interim committee and other interested legislators are authorized to participate in the meetings of the workgroups and subcommittees addressed by the legislation. In addition to the workgroup recommendations, the Study Committee shall address property tax issues, devise a means of ensuring the state maintains its funding commitments for the redesigned services system, recommend revisions in the requirements for mental health professionals who are engaged in the involuntary commitment and examination processes under Code Chapter 229, recommend revisions to the Code Chapter 230A amendments contained in SF 525 as necessary to conform with the system redesign proposed by the Study Committee, develop proposed legislation for amending Code references to mental retardation to instead refer to intellectual disabilities, and consider issues posed by the July 1, 2013, repeals of county disability services administration and funding provisions in 2011 Iowa Acts, SF 209. In addressing the repeal provisions, the Study Committee shall consider all funding sources for replacing the county authority to levy for adult disability services. 3 meeting days

SENATE (6)	HOUSE (6)	Staffing:
Hatch, Co-Chair	Schulte, Co-Chair	LS—John Pollak, Patty Funaro, Rachele Hjelmaas
Bolkcom	Heaton	FS—Jess Benson, Deborah Thompson
Ernst	Heddens	SD—Kris Bell
Johnson	Miller, L.	SR—Josh Bronsink
Ragan	Smith, M.	HD—Zeke Furlong
Ward	Wolfe	HR—Brad Trow

5. State Fish and Game Protection Fund Study Committee (2011 Iowa Acts, SF 509, §18). Review the expenditures from the State Fish and Game Protection Fund by the Department of Natural Resources. 1 meeting day

SENATE (3)	HOUSE (3)	Staffing:
Black, Co-Chair	Rayhons, Co-Chair	LS—Doug Adkisson, Ann Ver Heul, Jack Ewing
Dearden	Hanson	FS—Deb Kozel
Hahn	Smith, J.	SD—Jace Mikels
		SR—Jim Friedrich
		HD—Bill Freeland
		HR—Lew Olson

2011 INTERIM STUDY COMMITTEES

MEMBERSHIP AND STAFF LISTING

PERMANENT STATUTORY COMMITTEES

1. Administrative Rules Review Committee (Section 17A.8, Iowa Code). Perform the duty of selectively reviewing rules, whether proposed or in effect pursuant to Section 17A.8. 2nd Tuesday of month.

SENATE (5)	HOUSE (5)	Staffing:
Horn, Chair	Pettengill, Vice Chair	ARRC—Joe Royce, Jack Ewing
Bartz	Heaton	ACO—Stephanie Hoff
Courtney	Oldson	FS—Sue Lerdal
Kibbie	Olson, R.	SD—Cathy Engel
Seymour	Vander Linden	SR—Tom Ashworth
		HD—Zeke Furlong
		HR—Dustin Blythe
		CAO—Ruth Cooperrider

2. Public Retirement Systems Committee (Permanent statutory committee created in Section 97D.4, Iowa Code). In accordance with Iowa Code §97D.4, review and evaluate all public retirement systems in place in Iowa, including the Iowa Public Employees' Retirement System (IPERS), the Municipal Fire and Police Retirement System of Iowa (Code Chapter 411), the Department of Public Safety Peace Officers' Retirement System (PORS), and the Judicial Retirement System. The Committee typically meets during the legislative interim of odd-numbered years. 2 meeting days

SENATE (5)	HOUSE (5)	Staffing:
Kibbie, Co-Chair	Pettengill, Co-Chair	LS—Ed Cook, Andrew Ward, Rick Nelson
Danielson	Drake	FS—Jennifer Acton
Kettering	Lensing	SD—Theresa Kehoe
McCoy	Lofgren	SR—Jim Friedrich
Zaun	Mascher	HD—Mary Braun
		HR—Kristi Kielhorn

3. Revenue Estimating Committee (Permanent statutory committee created in Section 8.22A, Iowa Code). By December 15 of each fiscal year the conference shall agree to a revenue estimate for the fiscal year beginning the following July 1. That estimate shall be used by the Governor in the preparation of the budget message under Code Section 8.22 and by the General Assembly in the budget process. If the conference agrees to a different estimate at a later meeting which projects a greater amount of revenue than the initial estimate amount agreed to by December 15, the Governor and the General Assembly shall continue to use the initial estimate amount in the budget process for that fiscal year. Quarterly

LSA (1)	GOVERNOR (1)	PUBLIC MEMBER(1)	Staffing:
Holly Lyons	Dave Roederer	David Underwood	FS—Jeff Robinson, Shawn Snyder
			LS—Tim McDermott, John Pollak
			SD—Theresa Kehoe
			SR—Russ Trimble
			HD—Joe Romano
			HR—Lon Anderson

4. State Government Efficiency Review Committee (Iowa Code §2.69). The Committee is required to meet, as directed by the Legislative Council, every two years to review state government organization and efficiency options and receive state government efficiency suggestions offered by the public and public employees. The first report is due January 2013. 1 meeting day

SENATE (5)	HOUSE (5)	Staffing:
Danielson, Co-Chair	Cownie, Co-Chair	LS—Rick Nelson, Andrew Ward, Ed Cook
Bertrand	Lensing	FS—Dave Reynolds
Dvorsky	Mascher	SD—Theresa Kehoe
Feenstra	Vander Linden	SR—Jim Friedrich
Jochum	Watts	HD—Mary Braun
		HR—Kristi Kielhorn